

REMARKS

Claims 2-3, 6-8, and 13-16 are currently pending in the application. Claims 2-3, 6-8, and 13 have been amended. Claim 1 has been cancelled. New claim 16 has been added.

Claims 1-3, 6-8, and 13-15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6678855 (Gemmell) in view of U.S. Patent No. 6505253 (Chiu).

Chiu is directed to a technique to prevent too many ACK messages from reaching a transmitting station at the same time in a multicast session. Chiu achieves this by defining thirty-two ACK windows, such that each responding member station will be allowed to transmit an ACK message only within a uniquely assigned window. As a result of assigning different windows to different members, the transmitting station receives ACKs at different times.

In the present invention, the receiving stations return ACK at a randomly selected timing within the total response processing time specified by the transmitting station.

Currently amended claim 13, as well as the corresponding method claim 8, includes the feature of the present invention identified by, "calculating a total response processing time in proportion to the estimated processing time per response and the number of delivery destinations" "so that the delivery destinations will send back a response to the computer at a randomly selected timing within the total response processing time after each group of data packets are received."

In the Office Action, the Examiner acknowledged that Gemmell does not disclose, "calculating a total response processing time" and "estimating a processing time required to handle each single response from the delivery destinations."

According to the Examiner, however, Chiu discloses the feature. One of the differences between Chiu's ACK window and the total response processing time of the present invention lies in how the length of ACK windows are determined or total response processing time. Although Chiu states that the ACK window size is configurable, Chiu consistently describes ACK windows as having a duration of 32 packets, although detail regarding how the window size is configurable is not provided. For example, Chiu recites, "In a preferred embodiment of the invention, the ACK window size is configurable, and the default number of packets which make a full sequence of ACK windows is thirty-two (32) packets." See Chiu, column 8, lines 31-34. Chiu also states, "the window size is one of the basic parameters of a multicast session." If not configured, default is used, according to Chiu. See Chiu, column 15, lines 48-51. The above-

identified passages, however, do not suggest anything specific about how the ACK window size is determined. Chiu does not show any specific window sizes other than the default (i.e., = 32).

Moreover, in contrast to Chiu, currently amended claim 13 specifically recites that the total response processing time is, "in proportion to the estimated processing time per response and the number of delivery destinations." Claim 13 also defines the "estimated processing time" as "a processing time required for the computer to process each single response which the delivery destinations are supposed to send back to the computer upon receipt of each group of packets."

The Examiner appears to equate Chiu's "duration within which the transfer has to take place" with the total response processing time of the present invention. However, the amendment to claim 13 renders this interpretation invalid, as can be seen from the above discussion. The features of independent claim 8 are not taught by Chiu for the same reason.

The feature of new claim 16 is also not disclosed or suggested by Chiu, as Chiu does not disclose or suggest, "determines the processing time per response, based on measurement of processing load of the computer."

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Finally, if there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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By: 

Reginald D. Lucas
Registration No. 46,883

1201 New York Avenue, NW, 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501